



STATE OF ARIZONA

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GOVERNOR

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April 14, 2008

The Honorable Timothy S. Bee
President
Arizona State Senate
1700 West Washington
Phoenix, Arizona 85007

Re: Senate Bill 1096; Appropriation; English Language Learners

Dear President Bee:

I have received Senate Bill 1096, which appropriates approximately \$40 million in fiscal year 2009 to the Arizona Structured English Immersion Fund. I have decided to allow the bill to become law without my signature.

Senate Bill 1096 is far from a perfect solution to Arizona's need for adequate English language learner instruction. Nonetheless, I am letting the bill become law without my signature so that Arizona may avoid millions of dollars in sanctions payable to the U.S. District Court at a time when Arizona is facing severe budget deficits.

We should not forget, however, that the Court's sanctions order was only one of the multiple orders related to English language learners. These other orders require that Arizona's English language learner laws be amended to remove both the two-year limit on funding and the supplanting of federal funds.

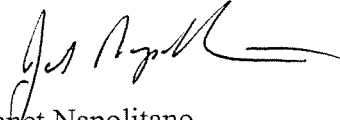
In addition, the education community has expressed to the legislature a strong desire to review other elements of English language instruction that were enacted by House Bill 2064 in 2006. Those elements include whether a four-hour, segregated class covering only English language development is workable within a school's regular curriculum, and whether such long absences from other academic pursuits, such as math and science classes, are in the students' best interest. The education community also questions the equity of the funding allocation methodology and whether the one-size-fits-all teaching model prescribed by House Bill 2064 is sound. These questions from Arizona's front-line educators deserve serious consideration.

Appropriation of the approximately \$40 million of funds is only a first step to providing Arizona's children with a chance to read, write and speak English. I encourage the legislature to provide additional legislation that timely addresses the Court's other orders. I also urge the

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legislature to heed the concerns of the education community with respect to the practical application of English language learner methodology. I am allowing Senate Bill 1096 to become law without my signature so these other issues may be addressed during this legislative session with the guidance of the Court.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano", with a long horizontal flourish extending to the right.

Janet Napolitano
Governor

JN:LK

cc: The Honorable Jim Weiers
The Honorable Robert Burns